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Tough Measures Urged for NFL Discipline

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Religious Freedom Restoration Acts

Michael Boucai says Indiana fight spotlights a dangerous trend

The controversy over Indiana's Religious Freedom Restoration Act has brought much-needed attention to an entire class of laws, says **Associate Professor Michael Boucai**.

According to Boucai, the original version of Indiana's RFRA "permitted businesses, among others, to claim religious exemptions from local laws prohibiting discrimination against protected groups." Indianapolis, for example, outlaws discrimination on the basis of race, gender, sexual orientation and other characteristics.

Enacted in response to a judicial de-



"It's important that the public see how these RFRA's – not just Indiana's – open the door for every person to become a law unto her – or himself." – Associate Professor Michael Boucai

cision legalizing same-sex marriage in Indiana, the state's RFRA would have allowed businesses, such as wedding photographers and banquet halls, to claim a faith-based objection to serving same-sex couples. "That," says Boucai, "is why the law was seen as inviting an open season on LGBT people."

In response to a storm of criticism, including boycotts of the state, Indiana amended its RFRA to clarify that the law cannot be used to trump nondiscrimination laws.

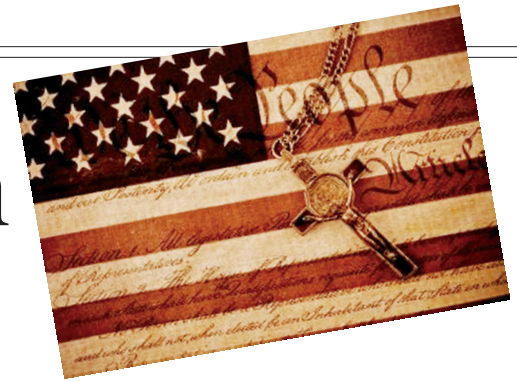
But the problems with Indiana's law "went deeper than the anti-gay animus that it reflected and sanctioned," says

Boucai, an expert in LGBTQ rights.

Concern about discrimination against LGBT people was, "if not a red herring, in some ways a diversion from a more fundamental issue." The federal RFRA and its equivalents in over 20 states "conceivably permit exemptions from many other forms of essential regulation." Boucai observes that "people have already invoked these laws to evade mandatory vaccination rules and even prohibitions of child abuse. The Bible, after all, says 'Spare the rod and spoil the child.'"

In cases about issues ranging from Mormon polygamy to ritual use of hallucinogens, the Supreme Court "has repeatedly held that individuals cannot raise free-exercise claims against laws of general applicability." Therefore, says Boucai, the RFRA's codify "as a statutory right what the Court has wisely rejected as constitutional right."

"It's important that the public see how RFRA's – not just Indiana's – open the door for every person to become a law unto her- or himself," he said.



Olympia Report

Tough measures urged for NFL discipline

Citing some of the most ugly off-field incidents in NFL history, sports law expert **Helen A. Drew** says tough measures are needed to address the disciplinary issues that have challenged Commissioner Roger Goodell's ability to protect the league's reputation.

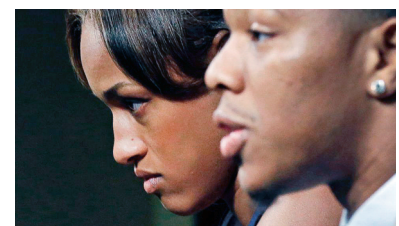
"The NFL and the National Football League Players Association can best protect the NFL brand and ensure its continued success by instituting swift, comprehensive and substantial disciplinary measures in conjunction with scrupulous adherence to detailed, impartial, due process procedures for each alleged incident and any and all appeals," writes Drew, an adjunct professor in the Law School.

Her article, in the current issue of the *Buffalo Law Review*, discusses the disciplinary cases that punctuated the 2014-15 NFL season, including the domestic violence cases of running backs Ray Rice of the Baltimore Ravens and Jonathan Dwyer of the Arizona Cardinals.

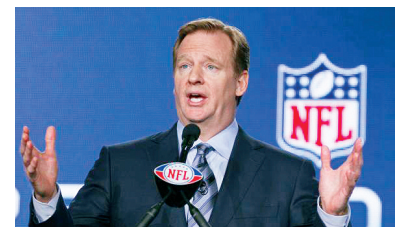
In the article, Drew discusses Goodell's history regarding player discipline. She also examines the NFL's revised personal conduct policy and the NFLPA's response to the high-profile incidents of violence among some of the league's best-known players.



SUNY Buffalo Law adjunct faculty member Helen A. Drew '88



ABC News



NFL

Top: Ray Rice of the Baltimore Ravens with wife Janay
Above: NFL Commissioner Roger Goodell